

LAW OFFICES OF  
**ROSENGARTEN & WEISS**  
363 Seventh Avenue, 7<sup>th</sup> Floor  
New York, New York 10001  
212-533-2606  
Fax: 212-505-6681  
DJWLAW@MINDSPRING.COM

Howard M. Rosengarten, Esq.  
Donald J. Weiss, Esq.

February 4, 2013

**VIA ECF**

Honorable Robert M. Levy  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East Rm. N208  
Brooklyn, NY 11201

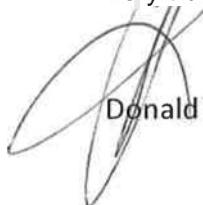
Re: Yancey v. Foodoni NY Broadway LLC and Peter Phillips.  
Case #CV12-4991

Dear Judge Levy:

We are the attorneys for the plaintiff in the above referenced matter. An Initial Conference is scheduled on February 8, 2013. It is respectfully requested that the conference be adjourned as we have settled the case. The parties request a thirty day adjournment in order to prepare and execute the settlement documents. There have been no previous requests. I have consulted with defense counsel and they consent to this adjournment.

Thank you for your kind consideration in this matter.

Very truly yours,



Donald J. Weiss